



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/501,434 02/10/00 LEE

J 510.030US1

EXAMINER

021186 TM02/1011  
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P.O. BOX 2938  
MINNEAPOLIS MN 55402

CHILLER

ART UNIT

PAPER NUMBER

2651

DATE MAILED:

10/11/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Office Action Summary**

Application No.

09/501,434

Applicant(s)

LEE ET AL.

Examiner

Kim-Kwok CHU

Art Unit

2651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment filed on 7/30/01.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2 and 4-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other:  |

***Response to Argument***

1. Applicant's arguments filed on July 30, 2001 have been fully considered but they are not persuasive.

(a) In the Remarks filed on July 30, 2001, Applicant states that the prior art of Munro has no indications to hold a first and a second compact disc simultaneously (page 5, lines 11-13). Accordingly, Munro, in Fig. 4, discloses that two hand assemblies 240 holding two cartridges in order to simultaneously perform retrieval from or replacement of recording media to individual storage cells (Column 1, lines 51-61).

Although the cartridge is a tape instead of a compact disc, the idea of simultaneously handling two recording media such as a tape taught by Munro can be utilized to other form of recording medium such as a compact disc claimed by Applicant.

(b) Applicant states that the prior art of Munro has no indications to hold the first and a second compact disc simultaneously on first and second planes (page 6, lines 8-10). Accordingly, Munro, in Fig. 4, discloses that the hand assemblies 240 holds two cartridges simultaneously in two planes. For example, one hand holds a cartridge in a vertical plane and an other hand hold a second cartridge in a horizontal plane.

(c) Similarly, with respect to claims 14, 18, 19 and 21-

25, Applicant states that the prior art of Munro has no indications to hold the first and the second compact disc simultaneously on first and second planes. Accordingly, Munro, in Fig. 4, discloses that the hand assemblies 240 holds two cartridges simultaneously in two planes. For example, one hand holds a cartridge in a vertical plane and an other hand hold a second cartridge in a horizontal plane.

(d) In addition, with respect to claims 27, 28 and 30, Applicant states that the prior art of Munro has no indications to hold the first and the second compact disc simultaneously on first and second parallel planes. Accordingly, Munro, in Fig. 4, discloses that the hand assemblies 240 holds two cartridges simultaneously in two rotatable planes which can be both parallel vertical planes in order to insert the cartridges into their storage cells.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

3. Claims 1, 2 and 4-31 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Kahle. (U.S. Patent 5,518,325) in view of Munro. (U.S. Patent 5,500,803).

Kahle teaches a compact disc processing system very similar to that of the instant invention. For example, Kahle teaches the following means and steps:

(a) a printer 68 for printing indicia on a first compact disc (Fig. 5);

(b) a recorder 66 for recording information on the first compact disc (Fig. 5);

(c) a storage location 42 for holding a plurality of blank compact disc (Fig. 4); and

(d) a plurality of disc trays (Fig. 5).

However, Kahle does not teach the following:

(a) a transporter carriage for holding the first compact disc and moving the first compact disc between the recorder and printer, the transporter carriage comprises a horizontally rotatable gripping head having first and second locations each for respectively holding the first and second compact disc simultaneously;

(b) a selection mechanism couple to the plurality of disc trays for selectively moving the plurality of disc trays such that the first compact disc can be placed on the selected disc tray for temporary storage;

(c) first and second gripping locations are located on opposite sides of the gripping head and can selectively hold the first and second compact disc;

(d) the disc is rotated to a predetermined rotational position before printing and is placed in a tray for removal by a user;

(e) vertical extending rod, rotating motor; and

(f) a vacuum pump couple to the gripping head to selectively provide a vacuum to the first and second gripping locations.

Munro teaches an automated cartridge system with a transporter carriage having above features (a) to (d) as claimed by the applicant except Munro's gripping mechanism is for tape cartridge.

A typical disc labeling system requires a disc selecting/loading cycle before the disc can be printed. When there is a motivation of reducing waiting time for printing a recording medium loading requests, it would have been obvious to one of ordinary skill in the art at the time of invention to use the Munro's automated recording medium gripping system in Kahle's disc printing system, because it will select one medium and load the other medium at the same time.

In addition, Although both Kahle and Munro do not teach mechanical parts such as extending rod, motor, vacuum gripper, such parts are not novel because they are just typical components of a gripping system used in an object moving system. Since both Kahle and Munro disclose a storage medium transportation system involves gripping an object such as an optical disc, it would have been obvious to one of ordinary skill in the art at the time of invention to use an extending Rotating rod to transport the disc, to use a rotating motor to drive the gripping mechanism and to use the vacuum generated by the vacuum pump to grip the disc.

**Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Diepens (5,411,588) is pertinent because Diepens teaches a device for processing disc-shaped registration carriers.

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington, D.C.  
20231 Or faxed to:

(703) 872-9314 (for formal communications intended for  
entry. Or:

(703) 746-6909, (for informal or draft communications,  
please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park  
II, 2021 Crystal Drive, Arlington. VA., Sixth Floor  
(Receptionist).

Any inquiry of a general nature or relating to the status  
of this application should be directed to the Group  
receptionist whose telephone number is (703) 305-4700.

Any inquiry concerning this communication or earlier  
communications from the examiner should be directed to Kim CHU  
whose telephone number is (703) 305-3032 between 9:30 am to  
6:00 pm, Monday to Friday.

11 10/5/01

  
Muhammad Edun  
Primary Examiner

Kim-Kwok CHU  
Examiner AU2651  
October 5, 2001

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